

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Toll Highway Act is amended by changing  
5 Section 19 as follows:

6 (605 ILCS 10/19) (from Ch. 121, par. 100-19)

7 Sec. 19. The Authority shall fix and revise from time to  
8 time, tolls or charges or rates for the privilege of using each  
9 of the toll highways constructed pursuant to this Act. Such  
10 tolls shall be so fixed and adjusted at rates calculated to  
11 provide the lowest reasonable toll rates that will provide  
12 funds sufficient with other revenues of the Authority to pay,  
13 (a) the cost of the construction of a toll highway authorized  
14 by joint resolution of the General Assembly pursuant to Section  
15 14.1 and the reconstruction, major repairs or improvements of  
16 toll highways, (b) the cost of maintaining, repairing,  
17 regulating and operating the toll highways including only the  
18 necessary expenses of the Authority, and (c) the principal of  
19 all bonds, interest thereon and all sinking fund requirements  
20 and other requirements provided by resolutions authorizing the  
21 issuance of the bonds as they shall become due. In fixing the  
22 toll rates pursuant to this Section 19 and Section 10(c) of  
23 this Act, the Authority shall take into account the effect of

1 the provisions of this Section 19 permitting the use of the  
2 toll highway system without payment of the covenants of the  
3 Authority contained in the resolutions and trust indentures  
4 authorizing the issuance of bonds of the Authority. No such  
5 provision permitting the use of the toll highway system without  
6 payment of tolls after the date of this amendatory Act of the  
7 95th General Assembly shall be applied in a manner that impairs  
8 the rights of bondholders pursuant to any resolution or trust  
9 indentures authorizing the issuance of bonds of the Authority.  
10 The use and disposition of any sinking or reserve fund shall be  
11 subject to such regulation as may be provided in the resolution  
12 or trust indenture authorizing the issuance of the bonds.  
13 Subject to the provisions of any resolution or trust indenture  
14 authorizing the issuance of bonds any moneys in any such  
15 sinking fund in excess of an amount equal to one year's  
16 interest on the bonds then outstanding secured by such sinking  
17 fund may be applied to the purchase or redemption of bonds. All  
18 such bonds so redeemed or purchased shall forthwith be  
19 cancelled and shall not again be issued. The Authority shall  
20 not charge a toll for a motor vehicle of the first division, as  
21 defined in the Illinois Vehicle Code, pulling a trailer, as  
22 defined in the Illinois Vehicle Code, with no more than 2 axles  
23 at a rate higher than an amount calculated by multiplying the  
24 toll charged to passenger vehicles using an I-Pass device by  
25 the total number of axles on the trailer. This toll rate shall  
26 apply to both a driver that uses an I-Pass device or a driver

1 that uses cash to pay toll. No person shall be permitted to use  
2 any toll highway without paying the toll established under this  
3 Section except when on official Toll Highway Authority business  
4 which includes police and other emergency vehicles. However,  
5 any law enforcement agency vehicle, fire department vehicle,  
6 public or private ambulance service vehicle engaged in the  
7 performance of an emergency service or duty that necessitates  
8 the use of the toll highway system, or other emergency vehicle  
9 that is plainly marked shall not be required to pay a toll to  
10 use a toll highway. A law enforcement, fire protection, or  
11 emergency services officer driving a law enforcement, fire  
12 protection, emergency services agency vehicle, or public or  
13 private ambulance service vehicle engaging in the performance  
14 of emergency services or duties that is not plainly marked must  
15 present an Official Permit Card which the law enforcement, fire  
16 protection, or emergency services officer receives from his or  
17 her law enforcement, fire protection, emergency services  
18 agency, or public or private ambulance service in order to use  
19 a toll highway without paying the toll. A law enforcement, fire  
20 protection, emergency services agency, or public or private  
21 ambulance service engaging in the performance of emergency  
22 services or duties must apply to the Authority to receive a  
23 permit, and the Authority shall adopt rules for the issuance of  
24 a permit, that allows public or private ambulance service  
25 vehicles engaged in the performance of emergency services or  
26 duties that necessitate the use of the toll highway system and

1 all law enforcement, fire protection, or emergency services  
2 agency vehicles of the law enforcement, fire protection, or  
3 emergency services agency to use any toll highway without  
4 paying the toll established under this Section. The Authority  
5 shall maintain in its office a list of all persons that are  
6 authorized to use any toll highway without charge when on  
7 official business of the Authority and such list shall be open  
8 to the public for inspection. In recognition of the unique role  
9 of the Suburban Bus Division of the Regional Transportation  
10 Authority in providing effective transportation in the  
11 Authority's service region and to give effect to the exemption  
12 set forth in subsection (b) of Section 2.06 of the Regional  
13 Transportation Authority Act, a vehicle owned or operated by  
14 the Suburban Bus Division of the Regional Transportation  
15 Authority that is being used to transport passengers for hire  
16 may use any toll highway without paying the toll.

17 Among other matters, this amendatory Act of 1990 is  
18 intended to clarify and confirm the prior intent of the General  
19 Assembly to allow toll revenues from the toll highway system to  
20 be used to pay a portion of the cost of the construction of the  
21 North-South Toll Highway authorized by Senate Joint Resolution  
22 122 of the 83rd General Assembly in 1984.

23 (Source: P.A. 97-784, eff. 1-1-13.)

24 Section 99. Effective date. This Act takes effect July 1,  
25 2018.